

From: [Marwan Daher](#)
To: [Melendez, Brian](#); [Alexander Taylor](#)
Cc: [Mohammed Badwan](#); [JEFF COLLINS](#); [Gear, Autumn](#); [Jessica Madrid](#)
Subject: RE: Gephart v. TD Bank USA, N.A., No. 2:22-cv-01652-SMM (D. Ariz.): Notice of deposition (Trans Union, LLC)
Date: Thursday, August 17, 2023 3:47:00 PM
Attachments: [image001.jpg](#)
[image006.png](#)
[image007.png](#)
[image008.jpg](#)
[image009.png](#)
[image010.jpg](#)
[image011.jpg](#)

Hi Brian,

I hope all is well. Per Transunion's policy, which is also e-Oscar's policy, if an account is changed in response to a consumer dispute, the furnisher automatically receives what's called a Dispute Response Notification from the credit reporting agency. A DR Notification is a notice that an account has been modified or deleted due to a dispute response, a non-response to a dispute (by the response due date) or as a result of a Consumer Reporting Agency's internal reinvestigation (as specified in Section 611(a)(5)(A)(ii) of the FCRA). Images included with a Notification shall be considered a part of such Notification.

Unfortunately, the affidavit you provided did not mention this DR Notification only an ACDV. Even more, your client was put on notice by Equifax, which in turn provides notice to all other CRAs and your client. Please provide a date for your client's deposition as soon as possible. My client is also willing to negotiate a reasonable settlement. Thanks in advance.

Best Regards,

Marwan R. Daher,

Attorney at Law

Atlas Consumer Law – a Division of Sulaiman Law Ltd.

2500 South Highland Avenue

Suite 200

Lombard, Illinois 60148

Phone: (630) 575 – 8181, ext. 109

Direct: (630) 537 – 1770

Fax: (630) 575 – 8188

Website: <http://www.AtlasConsumerLaw.com>

Email: mdaher@sulaimanlaw.com

email_sig



CONFIDENTIALITY: The information contained in this e-mail message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521 and contains confidential information intended only for use by the specified individual(s) and/or entity(s) named above. If you are not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this e-mail in error and any review, dissemination, copying or the taking of any action based on the contents

of this communication and/or attached documents is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone or email and delete the original message without making a copy. This message, together with any attachments, is intended for the use of the individual or entity to which it is addressed and contains information that is **LEGALLY PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE.**

NOT LEGAL ADVICE: If you are not an existing client of Sulaiman Law Group, Ltd., do not construe anything in this e-mail to make you a client of Sulaiman Law Group, Ltd. Any information in this communication is for discussion purposes only, and is not offered as legal advice. There is no right to rely on the information contained in this communication and **no attorney-client relationship is formed.**

CIRCULAR 230 DISCLAIMER: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or tax related matter(s) addressed therein.

From: Melendez, Brian <brian.melendez@btlaw.com>

Sent: Thursday, August 17, 2023 3:28 PM

To: Marwan Daher <mdaher@sulaimanlaw.com>; Alexander Taylor <ataylor@sulaimanlaw.com>

Cc: Mohammed Badwan <mbadwan@sulaimanlaw.com>; JEFF COLLINS <JCollins@JSHFIRM.com>; Gear, Autumn <autumn.gear@btlaw.com>; Jessica Madrid <jmadrid@sulaimanlaw.com>

Subject: RE: Gephart v. TD Bank USA, N.A., No. 2:22-cv-01652-SMM (D. Ariz.): Notice of deposition (Trans Union, LLC)

Marwan and Alexander:

I have forwarded the deposition notice to my client. I will follow up with you when I hear back.

Meanwhile, though, I attach a declaration from Trans Union confirming that TU never sent notice to TD about Ms. Gephart's dispute. Since lack of such notice is a complete defense to Ms. Gephart's claim against TD, I renew my request that she dismiss that claim.

BRM

Brian Melendez | Partner

Barnes & Thornburg LLP

225 S. Sixth Street Suite 2800, Minneapolis, MN 55402

Direct: (612) 367-8734



From: Marwan Daher <mdaher@sulaimanlaw.com>

Sent: Wednesday, August 16, 2023 3:50 PM

To: Melendez, Brian <brian.melendez@btlaw.com>; Alexander Taylor <ataylor@sulaimanlaw.com>

Cc: Mohammed Badwan <mbadwan@sulaimanlaw.com>; JEFF COLLINS <JCollins@JSHFIRM.com>; Gear, Autumn <autumn.gear@btlaw.com>; Jessica Madrid <jmadrid@sulaimanlaw.com>

Subject: [EXTERNAL] RE: Gephart v. TD Bank USA, N.A., No. 2:22-cv-01652-SMM (D. Ariz.): Notice of deposition (Trans Union, LLC)

Caution: This email originated from outside the Firm.

Hello Brian,

I hope all is well. Please see attached Notice of Deposition scheduled for September 5, 2023. As you know, the close of fact discovery is fast approaching so please let me know asap if this date and time does not work for your client.

Also, do you have time this week or early next week to get on a call to discuss the trajectory of this case and chance for resolution. Thanks in advance.

Best Regards,

Marwan R. Daher,

Attorney at Law

Atlas Consumer Law – a Division of Sulaiman Law Ltd.

2500 South Highland Avenue

Suite 200

Lombard, Illinois 60148

Phone: (630) 575 – 8181, ext. 109

Direct: (630) 537 – 1770

Fax: (630) 575 – 8188

Website: <http://www.AtlasConsumerLaw.com>

Email: mdaher@sulaimanlaw.com

email_sig



CONFIDENTIALITY: The information contained in this e-mail message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521 and contains confidential information intended only for use by the specified individual(s) and/or entity(s) named above. If you are not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this e-mail in error and any review, dissemination, copying or the taking of any action based on the contents of this communication and/or attached documents is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone or email and delete the original message without making a copy. This message, together with any attachments, is intended for the use of the individual or entity to which it is addressed and contains information that is **LEGALLY PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE.**

NOT LEGAL ADVICE: If you are not an existing client of Sulaiman Law Group, Ltd., do not construe anything in this e-mail to make you a client of Sulaiman Law Group, Ltd. Any information in this communication is for discussion purposes only, and is not offered as legal advice. There is no right to rely on the information contained in this communication and **no attorney-client relationship is formed.**

CIRCULAR 230 DISCLAIMER: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or tax related matter(s) addressed therein.

From: Melendez, Brian <brian.melendez@btlaw.com>

Sent: Friday, August 11, 2023 3:46 PM

EXHIBIT B

To: Marwan Daher <mdaher@sulaimanlaw.com>; Alexander Taylor <ataylor@sulaimanlaw.com>
Cc: Mohammed Badwan <mbadwan@sulaimanlaw.com>; JEFF COLLINS <JCollins@JSHFIRM.com>;
Gear, Autumn <autumn.gear@btlaw.com>

Subject: RE: Gephart v. TD Bank USA, N.A., No. 2:22-cv-01652-SMM (D. Ariz.): Notice of deposition
(Trans Union, LLC)

I just had an exchange with TU's attorney. We are not proceeding with the deposition on Monday.

BRM

From: Melendez, Brian

Sent: Friday, August 11, 2023 1:00 PM

To: 'Marwan Daher' <mdaher@sulaimanlaw.com>; Alexander Taylor <ataylor@sulaimanlaw.com>

Cc: Mohammed Badwan <mbadwan@sulaimanlaw.com>; JEFF COLLINS <JCollins@JSHFIRM.com>;
Gear, Autumn <autumn.gear@btlaw.com>

Subject: RE: Gephart v. TD Bank USA, N.A., No. 2:22-cv-01652-SMM (D. Ariz.): Notice of deposition
(Trans Union, LLC)

As far as I know, the deposition is going forward. The Zoom link is in the deposition notice, of which I attach another copy.

BRM

From: Marwan Daher <mdaher@sulaimanlaw.com>

Sent: Friday, August 11, 2023 12:47 PM

To: Melendez, Brian <brian.melendez@btlaw.com>; Alexander Taylor <ataylor@sulaimanlaw.com>

Cc: Mohammed Badwan <mbadwan@sulaimanlaw.com>; JEFF COLLINS <JCollins@JSHFIRM.com>;
Gear, Autumn <autumn.gear@btlaw.com>

Subject: [EXTERNAL] RE: Gephart v. TD Bank USA, N.A., No. 2:22-cv-01652-SMM (D. Ariz.): Notice of deposition
(Trans Union, LLC)

Caution: This email originated from outside the Firm.

Hi Brian,

I hope all is well. We have not heard whether this deposition is going on Monday. If so, please provide the zoom information so we may appear. Thanks in advance.

Best Regards,

Marwan R. Daher,

Attorney at Law

Atlas Consumer Law – a Division of Sulaiman Law Ltd.

2500 South Highland Avenue

Suite 200

Lombard, Illinois 60148

Phone: (630) 575 – 8181, ext. 109

Direct: (630) 537 – 1770

Fax: (630) 575 – 8188

Website: <http://www.AtlasConsumerLaw.com>

Email: mdaher@sulaimanlaw.com

EXHIBIT B

email_sig



CONFIDENTIALITY: The information contained in this e-mail message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521 and contains confidential information intended only for use by the specified individual(s) and/or entity(s) named above. If you are not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this e-mail in error and any review, dissemination, copying or the taking of any action based on the contents of this communication and/or attached documents is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone or email and delete the original message without making a copy. This message, together with any attachments, is intended for the use of the individual or entity to which it is addressed and contains information that is **LEGALLY PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE.**

NOT LEGAL ADVICE: If you are not an existing client of Sulaiman Law Group, Ltd., do not construe anything in this e-mail to make you a client of Sulaiman Law Group, Ltd. Any information in this communication is for discussion purposes only, and is not offered as legal advice. There is no right to rely on the information contained in this communication and **no attorney-client relationship is formed.**

CIRCULAR 230 DISCLAIMER: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or tax related matter(s) addressed therein.

From: Melendez, Brian <brian.melendez@btlaw.com>

Sent: Thursday, July 6, 2023 2:01 PM

To: Alexander Taylor <ataylor@sulaimanlaw.com>; Marwan Daher <mdaher@sulaimanlaw.com>

Cc: Mohammed Badwan <mbadwan@sulaimanlaw.com>; JEFF COLLINS <JCollins@JSHFIRM.com>;

Gear, Autumn <autumn.gear@btlaw.com>

Subject: Gephart v. TD Bank USA, N.A., No. 2:22-cv-01652-SMM (D. Ariz.): Notice of deposition (Trans Union, LLC)

This message's attachments contains at least one web link. This is often used for phishing attempts. Please only interact with this attachment if you know its source and that the content is safe. If in doubt, confirm the legitimacy with the sender by phone.

Alexander and Marwan:

Please find attached and served on you (1) Defendant TD Bank USA, N.A.'s Notice of Deposition: Trans Union, LLC; and (2) the accompanying Subpoena to Testify at a Deposition in a Civil Action.

Please let me know if you have any questions. Thank you.

BRM

Brian Melendez | Partner

Barnes & Thornburg LLP

225 S. Sixth Street Suite 2800, Minneapolis, MN 55402

EXHIBIT B

Direct: (612) 367-8734



CONFIDENTIALITY NOTICE: This email and any attachments are for the exclusive and confidential use of the intended recipient. If you are not the intended recipient, please do not read, distribute or take action in reliance upon this message. If you have received this in error, please notify us immediately by return email and promptly delete this message and its attachments from your computer system. We do not waive attorney-client or work product privilege by the transmission of this message.

CONFIDENTIALITY NOTICE: This email and any attachments are for the exclusive and confidential use of the intended recipient. If you are not the intended recipient, please do not read, distribute or take action in reliance upon this message. If you have received this in error, please notify us immediately by return email and promptly delete this message and its attachments from your computer system. We do not waive attorney-client or work product privilege by the transmission of this message.

CONFIDENTIALITY NOTICE: This email and any attachments are for the exclusive and confidential use of the intended recipient. If you are not the intended recipient, please do not read, distribute or take action in reliance upon this message. If you have received this in error, please notify us immediately by return email and promptly delete this message and its attachments from your computer system. We do not waive attorney-client or work product privilege by the transmission of this message.